

## CHAPTER THREE

### URBAN GROWTH AREAS

**GOAL:** *Create a pro-active vision for potential urban growth areas (zoning, density, use, infrastructure, and transportation etc.)*

#### POLICIES

1. Evaluate urban growth areas to determine whether to retain the 1993 Master Plan recommendations.
2. Identify new urban growth areas if necessary.

#### INTRODUCTION

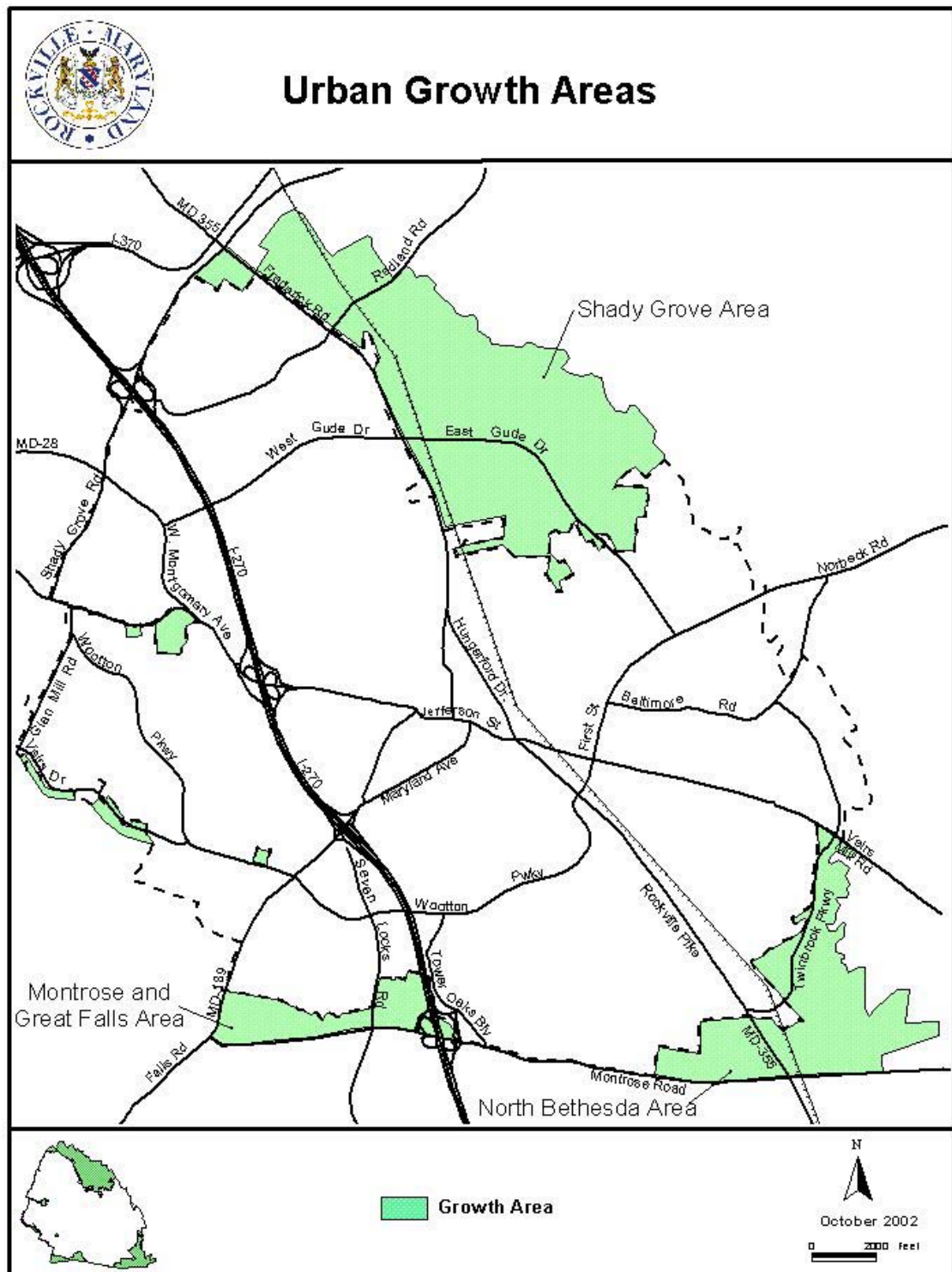
An Urban Growth Area (UGA) is the term used to describe the maximum boundary or expansion area for the City of Rockville. Prior to the 1993 Master Plan, past Master Plans referred to this area as the Maximum Expansion Limits (MELs).

The Annotated Code of Maryland, Article 23A, Section 19, prescribes procedures for enlarging municipal boundaries. Municipalities may annex unincorporated territory contiguous to and adjoining the municipal boundaries, but may not annex land within another community. Likewise, an annexation cannot create an unincorporated enclave within the city that is surrounded on all sides by property within the municipality.

Annexation may be initiated by a municipality if it obtains the consent of 25% of the registered voters and owners of 25% of the real property in the annexation area. These constituents can also petition the municipal government to initiate an annexation. A valid petition requesting annexation does not compel its enactment. The municipal governing body alone is authorized to introduce and approve an annexation resolution.

The Montgomery County Council must consent to any annexation where the land is placed by the Mayor and Council in a zone that allows a substantially different land use than that recommended by the current County master plan covering the property. As a matter of law, the issue of density or intensity of use may be considered in judging issues of consistency between the County's master plan and the City's proposed zoning. If the County Council does not consent to the annexation, the property owner may wait five years and then request a change in the zoning which requires no County review.

The Urban Growth Area boundaries are adopted by the City in the Master Plan. However, a "Memorandum of Understanding" was signed by the Montgomery County Executive and the mayors of Rockville and Gaithersburg in 1992 (See Appendix). The Memorandum states that "in order for Rockville, Gaithersburg, and Montgomery County to continue to enjoy the quality of life people have come to expect, it is essential that all jurisdictions support well-managed economic development and housing initiatives which will be mutually advantageous to all parties, and agree to the goals and principles of the General Plan." It further addresses UGAs by stating that:



1.

The City Councils, the County Council, and the County Executive agree to work cooperatively to determine the logical urban growth areas and to establish boundaries which will serve as guidelines for a twenty year planning horizon regarding:

- 1) Land use and required community facilities,
  - 2) Capital investment responsibilities, and
  - 3) Logical and efficient operating service areas.
2. Montgomery County will base its position of support on annexations upon the above three considerations and the designation of logical urban growth areas by Rockville and Gaithersburg. The Cities and the County will develop procedural guidelines for handling annexation agreements.

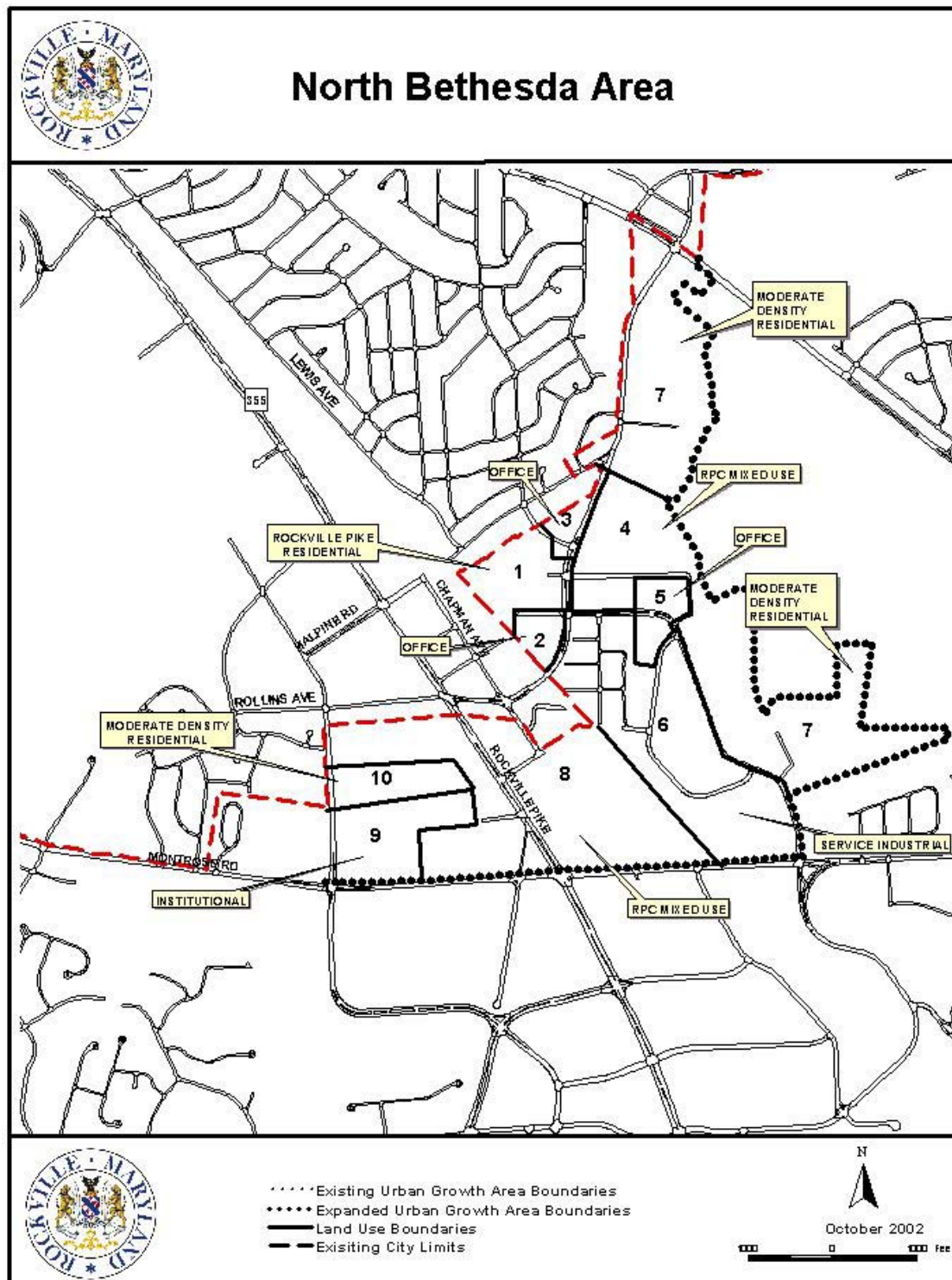
Annexations occur for a number of reasons. One reason is economics. The property owner benefits because of the enhanced value for the annexed property due to the benefits and services available from the municipality. The City benefits because of the increased tax revenue. Another benefit to a property owner is the potential for an enhanced quality of life for the users of the new developments. Logically defined municipal boundaries provide a sense of stability that allows residents and property owners to effectively participate in the land use decisions that impact property.

The 1960 Master Plan described what the proposed limits of growth would be for the City as follows: "Desirable Maximum Expansion Limits are established for the purpose of providing the best physical transition between the development of Rockville itself and the development which will take place beyond." The 1970 Master Plan established five criteria for expansion:

- The boundaries should be at generally equal distances from the center of the City, but the total size would be consistent with the philosophy of responsive government.
- The outer boundaries should be physically identifiable.
- The MELs should contain natural drainage areas which can be efficiently served with City water and sewer.
- The establishment of reasonable and attainable MELs must recognize those existing conditions which make future annexation to the City improbable.
- The MELs should not divide logical neighborhood limits.

As a matter of general policy, the City has annexed only property that was 1) in the MELs as defined in the 1970 Plan; 2) contiguous to the existing City boundary; and 3) capable of being served by Rockville services (although some areas have been annexed that rely on WSSC for water and sewer).

The following section outlines the boundary for the Urban Growth Areas and contains land use recommendations for the areas within the UGAs. While the City places these properties within the UGAs, this does not necessarily mean that they will become part of the City. Each annexation petition must be considered on its own merits on a case-by-case basis.



However, it is appropriate for Rockville to describe its general intentions through adoption of specific geographic boundaries for future growth.

The following section contains land use recommendations for the areas within the UGAs. The land use recommendations are general.

### **North Bethesda Area**

Generally, this area is located on the southeast boundary of the City close to Route 355. Very little property has been annexed within this area since 1993. Sub-areas 4-7 are listed because they fall within the sphere of influence but probably will not be annexed into the City. However, new development or redevelopment projects within these sub-areas could have an impact on the City.

*Sub-area 1:* This is the WMATA site adjacent to the Twinbrook Metro Station. Joint development options are currently being explored by WMATA. Annexation of the site into Rockville is strongly recommended because of the property's proximity to the Twinbrook neighborhood and the City's desire for the station property to develop under the City's plans in its entirety. This Plan recommends that the property on the west side of the tracks should retain its RPC/Metro performance District designation. If the property on the east side is annexed, it is preferred that the site be placed in the Metro Performance District and zoned RPC and RPR zones to be developed under the Optional Method of Development. The County is currently studying revisions to its North Bethesda/Garrett Park Master Plan for the Twinbrook WMATA site.

*Sub-area 2:* This area is west of Twinbrook Parkway and south of Parklawn Drive. This area has not been annexed. It is zoned O-M (Office Building, Moderate Intensity) in the County. The 1992 North Bethesda/Garrett Park Master Plan reconfirmed that designation. A portion of the area immediately adjacent to the tracks is zoned I-1 (light industrial) in the County. The 1992 North Bethesda Plan retained that designation but added a floating O-M zone to "consolidate and round off the O-M Zone in the triangle formed by the Metro tracks, Twinbrook Parkway and Parklawn Drive." (p. 50) This sub-area should be placed within the Metro Performance District if annexed.

*Sub-area 3:* This is a triangular area between Twinbrook Parkway (on the east), Ardennes Avenue (on the south), and Halpine Road (further to the west). The 1992 North Bethesda Plan recommended that the O-M (Office Building, Moderate Intensity) be retained. Recommendations for the vacant 2.1 acre site within this area were "1) maintain a tree buffer along Ardennes Avenue; 2) maximize the proportion of subsurface parking; 3) set back or terrace any stories above three levels; and 4) screen development from the adjacent residential subdivision." (p. 50) The City's 1993 Master Plan also recommended office use for the site under the O-1 zone. It is likely that this site will be annexed into the City under the O-1 Zone. The 1993 Master Plan recommendations are affirmed. This sub-area should be placed within the Metro Performance District if annexed.

*Sub-area 4:* Area 4 is comprised of the area bounded by Twinbrook Parkway to the west, Parklawn Drive to the south, and Parklawn Cemetery to the east. The City's 1993 Master Plan recommended the area for RPC mixed use if it were annexed. The County's 1992 North Bethesda Plan recommended the area for TS-M (Transit Station-Mixed) with a residential component on the northern portion and a commercial component along Fishers Lane.

*Sub-area 5:* This is the existing Parklawn Building and parking lot. Neither the City's nor the County's plans recommended any zoning changes to the site.

*Sub-area 6:* This area is east of Twinbrook Parkway and generally south of Parklawn Drive. It retains many residential structures that are now used for small industrial businesses. If annexed, the area is recommended for continued service industrial use. It is zoned I-1 (Light Industrial) in the County.

*Sub-area 7:* Both subareas in this section are fully developed as moderate density residential uses. No changes were recommended in the 1993 Master Plan, and the areas were not annexed. The land use recommendations for these parcels of moderate density residential is confirmed in this plan.

*Sub-area 8:* This area is bounded by the railroad tracks to the east, Montrose Road to the south, the Jewish Community Center and Jefferson Street to the west, and the City boundary just south of Rollins Avenue to the north. The area is mostly developed. However, annexations in this area would move the City boundary to the north side of Montrose Road and Randolph Road for a recognizable geographic boundary. The area is recommended for the RPC zoning classification. A 2.29-acre site on Bou Avenue has been annexed since the 1993 Master Plan.

*Sub-area 9:* The Jewish Community Center complex is located in this area. It is a fully developed institutional use, and a change of use is not anticipated.

*Sub-area 10:* This area includes the Miramont Apartments along California Circle. No change of use was recommended in 1993 or by this Plan.





## **Shady Grove Area**

This is a fairly large area that extended the UGA to Shady Grove Road west of Frederick Road. On the east side of Frederick Road, the UGA is extended north to Redland Road and east along Rock Creek Park. This area has had the most annexations since 1993 including the King Farm Development.

*Sub-area 1:* This is the area adjacent to the Shady Grove Metro Station. The Shady Grove Metro Station Area Design Charrette that was conducted in 2000 by Montgomery County recommends that the zoning of the area be changed to encourage mixed use development with a diversity of housing types while accommodating parking needs.

*Sub-area 2:* This area is oddly shaped and bounded generally by Somerville Drive, Redland Road, the railroad tracks, Crabbs Branch Way, and Indianola Drive (on the southern boundary). Service industrial businesses are the primary land use. The 1993 Master Plan confirmed that use. However, since most of the area abuts residential use, it is desirable to have effective buffers between industrial and residential uses.

*Sub-area 3:* The boundaries of this area are Route 355 on the west, the Washington Gas site to the south, Redland Road, and the railroad tracks. There is a concentration of automobile dealers along Route 355 along with several fast food restaurants, gas stations, and freestanding retail establishments. This area is zoned for General Commercial, and that designation would continue for properties annexed into the City.

*Sub-area 4:* This area is north of Gude Drive and has been developed for office and industrial use. This Plan recommends retaining the County's Restricted Industrial/Office Park Designation for this area.

*Sub-area 5:* This is a large residential area located between Crabbs Branch Way and the 1993 Urban Growth Area boundary along Rock Creek Park.

*Sub-area 6:* This area is bounded by Rock Creek Park and Southlawn Lane to the north and east, the railroad tracks to the west, and the Washington Gas site to the south. It is bisected by Gude Drive. This area was the subject of a 1999 joint study between the City and the County's Planning Board. That study recommended "that all of the area east of Gude Drive except the immediate intersection of Gude Drive and Southlawn Lane remain in the County's heavy industrial zone, or be placed in a comparable zone that could be proposed by the City, as a means of retaining land for such uses." The County supports annexations into the City's I-2 Zone west of Gude Drive because the "light industrial character of the area is in keeping with City's Service Industrial zone."

*Sub-area 7:* This area is bounded by Pleasant Road to the west, Shady Grove Road to the north, Route 355 to the east, and King Pontiac to the south. It is currently developed. The 1993 Master Plan recommended continuation of the General Commercial land use.

## **Montrose Road Area**

This area is along Montrose Road and bounded by Falls Road to the west and I-270 to the east. It would bring the City's southern boundary to Montrose Road. Much of the area is comprised of



residential housing. The area immediately west of Seven Locks Road is developed as an Islamic Education Center (an institutional use) and a state police barracks (a public use).

To the east of Seven Locks Road and I-270 is a 50-acre tract of undeveloped land that is part of the Fortune Parc development. The 2001 Staff Draft of the Potomac Subregion Master Plan recommends that the parcel be developed as a mixed-use development configured to minimize environmental impact. If the site is annexed, development would have to conform to the County's master plan recommendations. This differs from the City's 1993 Master Plan recommendation that the site be developed as a "campus-like office park with visual buffers and height limitations." This Plan endorses the recommendations of the Staff Draft Potomac Subregion Master Plan and incorporates the 1993 Master Plan's guidance on visual buffers along Seven Locks Road.

### **Baltimore Road Area**

This is a small area located on the northwest side of Baltimore Road between Rockville High School and Rock Creek Park. It is adjacent to the Beth Tikvah synagogue. This Plan reaffirms the 1993 recommendation for institutional use.



